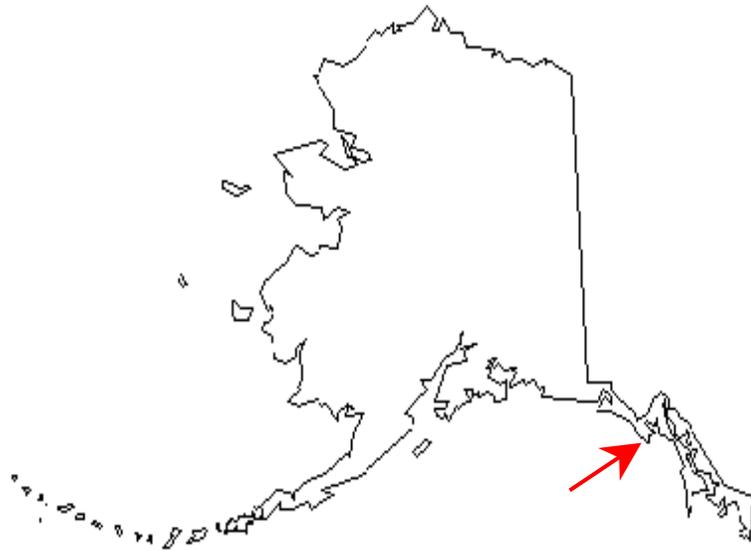


**APPENDIX F – REAL ESTATE  
NAVIGATION IMPROVEMENTS  
HAINES, ALASKA**



REAL ESTATE PLAN  
HAINES HARBOR  
HAINES, ALASKA

FOR



U.S. ARMY ENGINEER DISTRICT, ALASKA  
POST OFFICE BOX 6898  
ELMENDORF AFB, ALASKA 99506-6898

AS OF  
18 AUGUST 2003

PREPARED BY  
ANN P. HARDINGE  
REAL ESTATE APPRAISER

And

REVISED BY  
KAREN L. PONTIUS  
REALTY SPECIALIST

**BRIEF REAL ESTATE PLANNING REPORT  
HAINES HARBOR PROJECT,  
HAINES, ALASKA**

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**REAL ESTATE PLAN  
HAINES HARBOR  
HAINES, ALASKA  
18 August 2003**

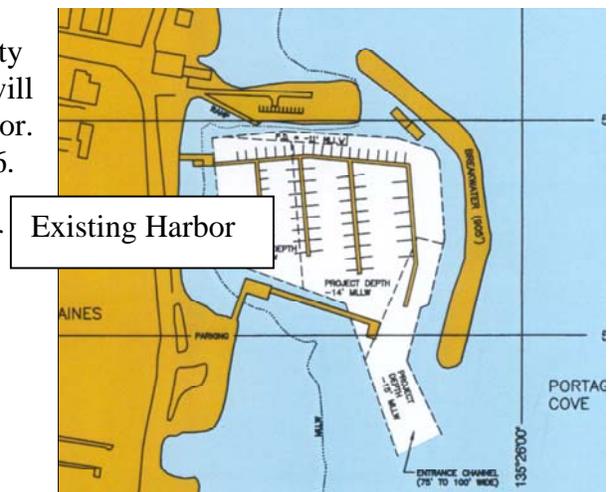


**PURPOSE OF REPORT**

The Navigational Harbor Improvement Study is located at Haines, Alaska. The local sponsor is the Haines Borough. The purpose of this report is to identify and describe Lands, Easements, and Rights-of-Way (LER) required for the construction, and operation and maintenance of the harbor project including those required for mitigation, relocation, borrow material, and dredged or excavated material disposal. These real estate requirements are for inclusion into the project feasibility study.

**PROJECT SUMMARY**

The project increases the current harbor's capacity by constructing a new harbor. The new harbor will be adjacent on the north side of the existing harbor. The existing cost shared harbor was built in 1976. The new harbor construction will modify the existing breakwaters, but leave the existing inner harbor undisturbed.



## PROJECT SUMMARY - Continued

All construction of the new harbor will be below Mean High Water (MHW) and the Government's rights of Navigation Servitude exercised for the General Navigation Features (GNF) of the project. The MHW runs adjacent to the road right of way. Construction access will be at the northern end of the project from the ROW through a privately owned tideland parcel located in the GNF portion of the project. The remaining construction will be from the water. New harbor construction will include 12.12 acres for GNF, 5.26 acres of Local Service Facilities (LSF), and another 0.37 acres for a breakwater causeway. Also included, is 0.34 acres of land for mitigation, which is part of the Federal project, but not GNF. The Haines Borough is responsible for Operation and Maintenance (O&M) of this portion of the project regarding the bed and banks of Moore and Sawmill Creeks; the State of Alaska will be responsible for O&M of the culverts and road. An open water dredge disposal site containing  $\pm 6.43$  acres of land lies three-quarters of a mile northeast of the new harbor project.

The GNF portion of the new harbor includes several new breakwaters, an entrance channel and turning basin; and also involves realignment of the existing harbor entrance channel and an extension of an existing breakwater to provide full wave protection within the existing harbor. Public access is currently available to the project site. The Haines Borough owns the road right of way. The Borough will be responsible for the causeway, which consists of a road and a turn around on a portion of the main breakwater. The LSF includes all dredging needed for the new harbor.

Under Public Law 91-646, there are no relocations of persons anticipated.

There are no utility relocations anticipated. Removal of sewer outfall line and road relocation are anticipated.

The mitigation portion of the project includes two sites along Moore Creek, a tributary of Sawmill Creek, and one site on Sawmill Creek. Restoration of the streams is projected to provide increased fish passage and enhanced fish habitat.

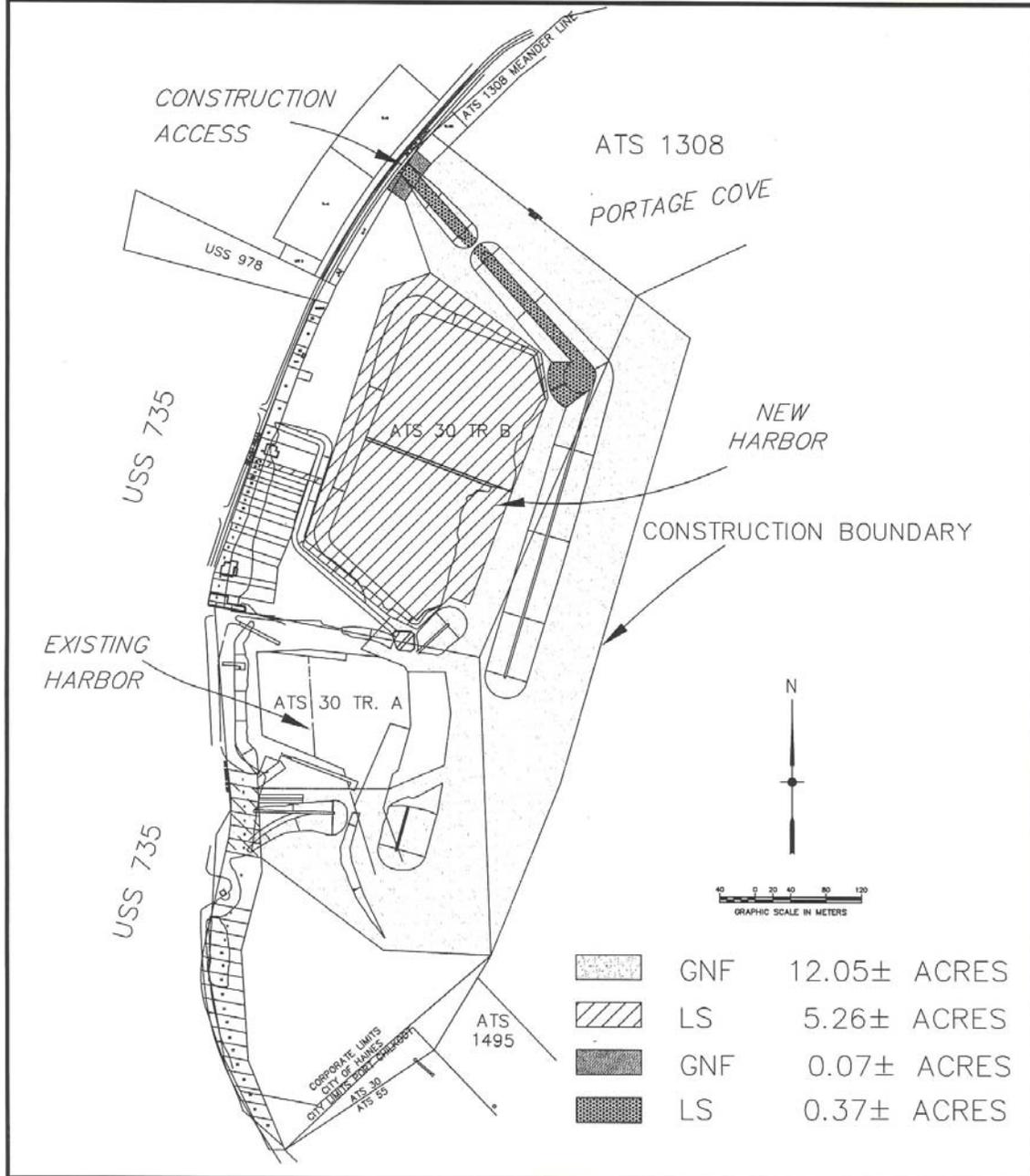
*Table 1 Project Features and Required Real Estate Interests*

Feature	Acres	Owners	Interest	GNF/Fed/Local
Project Construction Boundary	18.09	N/A	N/A	N/A
Entrance Channel, Turning Basin, Breakwater, (Portions Below Mean High Water), Temporary Access	12.05 0.07	Tidelands Haines Borough Zack	Nav Serv	GNF
Mooring Basin, Access (Below MHW)	5.26	Haines Borough	Fee	Local
Causeway	0.37	Haines Borough & Zack	Fee	Local
Mitigation	0.34	5 Private Landowners	Easement	Federal
Open Water Dredge Disposal Site	6.43	State	Nav Serv	GNF

# HARBOR SITE PLAN

CORPS OF ENGINEERS

U.S. ARMY



DEPARTMENT OF THE ARMY  
OFFICE OF THE ALASKA DISTRICT ENGINEER  
PACIFIC OCEAN DIVISION

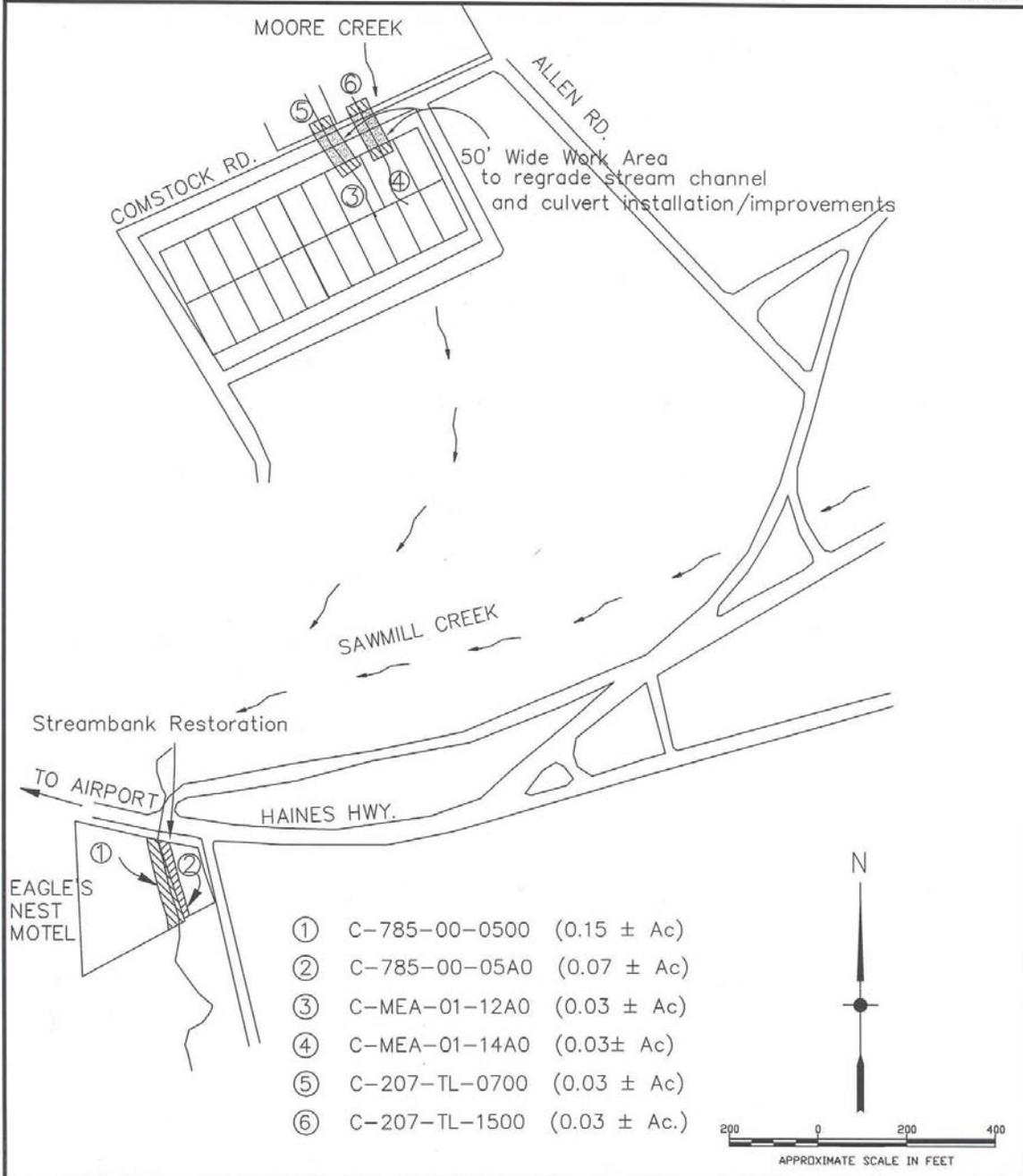
REAL ESTATE  
**NAVIGATION IMPROVEMENTS**  
**HAINES HARBOR**  
**Haines, Alaska**

June 16, 2003

# MITIGATION SITE PLAN

CORPS OF ENGINEERS

U.S. ARMY



DEPARTMENT OF THE ARMY  
OFFICE OF THE ALASKA DISTRICT ENGINEER  
PACIFIC OCEAN DIVISION

REAL ESTATE  
**HAINES HARBOR**  
Haines, Alaska

June 27, 2003

## **REAL PROPERTY INTERESTS OWNED BY NON-FEDERAL SPONSOR REQUIRED FOR THE PROJECT**

The Borough owns the majority of the tidelands for the project. All of the harbor area is available to the Government under navigation servitude; therefore, no additional interests are required for the GNF portion of the project.

## **NON-STANDARD ESTATES**

A non-standard perpetual easement will be required for the construction, operation and maintenance of the mitigation features. An estate is being developed and will be submitted for approval under separate cover.

## **EXISTING FEDERAL PROJECTS THAT LIE WITHIN LER REQUIRED FOR PROJECT**

There is an existing Federal harbor project, with no federally owned lands. The Haines Borough owns the existing harbor lands. Navigation servitude will be exercised for any lands needed for construction within the boundaries of the existing project.

## **EXISTING FEDERAL AND OTHER LAND REQUIRED FOR PROJECT**

One private landowner's tidelands are required for the GNF portion of the project, and are available under navigation servitude. The Federal mitigation features of the project comprise five privately owned parcels of land, and the State owned Comstock Road. The Borough will have to acquire perpetual easements from the private landowners. A temporary permit for alteration of the road during mitigation is required.

## **NAVIGATION SERVITUDE**

All harbor land/tidelands within the project boundaries are below MHW and Navigation Servitude applies.

## **POTENTIAL FLOODING, INDUCED BY CONSTRUCTION, OPERATION OR MAINTENANCE OF PROJECT**

No known flooding will be induced by the construction, operation or maintenance of the project.

## **BASELINE COST ESTIMATE FOR REAL ESTATE**

Real estate costs are primarily based on an estimate of value performed by the staff appraiser. Administrative costs are for mapping, title work, survey, etc.

Table 2 Real Estate Costs

<i>Federal project portions (GNF/Mitigation)</i>			
<b>Item</b>	<b>Federal</b>	<b>* Local</b>	<b>Subtotal</b>
Administration	\$ 17,000.00	\$ 15,000.00	\$ 32,000.00
Land (Mitigation)	\$ -	\$ <b>2,500.00</b>	\$ 2,500.00
<i>Non-Federal project portions</i>			
<b>Item</b>	<b>Federal</b>	<b>Local</b>	<b>Subtotal</b>
Administration	\$ 2,000.00	\$ 5,000.00	\$ 7,000.00
Payments For RE Tidelands		\$ <b>10,000.00</b>	\$ 10,000.00
<b>Total</b>			\$ 51,500.00

\* Eligible for LER credit.

### RELOCATION ASSISTANCE BENEFITS

No people, farms or businesses are expected to be displaced by this project.

### MINERAL ACTIVITY

There is no known mineral activity occurring in the area.

### NON-FEDERAL SPONSOR'S LEGAL AND PROFESSIONAL CAPABILITY AND EXPERIENCE TO ACQUIRE AND PROVIDE LER

The Haines Borough has the legal authority to condemn lands for public purposes. The sponsor's experience and ability to acquire real estate has been evaluated and rated as fully capable. The Assessment of the Sponsors Real Estate Acquisition Capability is shown as attached Exhibit I.

### APPLICATION OR ENACTMENT OF ZONING ORDINANCES

Not applicable.

### IMPACT ON REAL ESTATE ACQUISITION DUE TO SUSPECTED OR KNOWN CONTAMINANTS

No known contaminants exist.

### KNOWN OR ANTICIPATED SUPPORT OR OPPOSITION TO PROJECT

No landowners affected by the projects are known to object to its construction.

Table 3 Schedule of Land Acquisition

Activity	Corps of Engineers		Local Sponsor	
	Initiate	Complete	Initiate	Complete
Execution of PCA		1-Jun-05		
Formal Transmittal of final ROW drawings to LS and instructions to acquire LER	1-Jun-05	15-Jun-05		
Preform acquisition			15-Jun-05	1-Jan-06
Certify all necessary LER is available for construction- Contract Awarded		1-Feb-06		
Submit credit requests			1-Apr-06	1-Dec-06
Review & approve or deny credit requests		1-Jan-07		

### FACILITY AND OR UTILITY RELOCATIONS

It is anticipated that a road relocation will be required for construction of the mitigation features. However, a final attorney’s opinion of compensability has not been completed at this time.

“ Any conclusion or categorization contained in this report that an item is a utility or facility relocation to be performed by the Non-Federal Sponsor as part of its Lands, Easements, Rights-of-Way, Relocations, and Dredged or excavated material disposal areas (LERRD) responsibilities is preliminary only. The government will make final determination of relocations necessary for the construction, operation, or maintenance of the project after further analysis and completion and approval of final Attorney’s Opinion of Compensability for each of the impacted utilities and facilities.”

### NON-FEDERAL SPONSOR NOTIFICATION OF RISKS OF PRE PCA ACQUISITION

A letter describing the land acquisition for the project will be sent to the Local Sponsor.

## EXHIBIT I SPONSOR'S EVALUATION OF CAPABILITIES

### ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE ACQUISITION CAPABILITY

#### HAINES HARBOR: HAINES BOROUGH, ALASKA:

##### I. Legal Authority:

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes
- b. Does the sponsor have the power of eminent domain for this project? Yes
- c. Does the sponsor have a "quick-take" authority for this project? Yes
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? No
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? No

##### II. Human Resource Requirements:

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? No
- b. If the answer to IIa is yes, has a reasonable plan been developed to provide such training? N/A
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other work load if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required, in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? No

ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY  
HAINES HARBOR:

Page 2 of 2

III. Other Project Variables:

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes
- b. Has the sponsor approved the project/real estate schedule/milestones? Yes

IV. Overall Assessment:

- a. Has the sponsor performed satisfactorily on other USACE projects? Yes, the sponsor has participated in obtaining land rights for the existing harbor.
- b. With regard to this project, the sponsor is anticipated to be: highly capable/  
**fully capable**/moderately capable/marginally capable/insufficiently capable.

V. Coordination:

- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? Yes

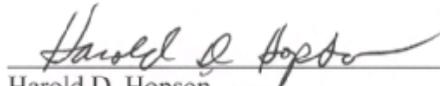
SOURCE:

Robert Venables  
Economic Development Director  
Haines Borough  
Borough Office 907-766-2231

Prepared By:

  
Name: Karen L. Pontius  
Title: Realty Specialist/Acquisition Section  
Date: August 18, 2003

Reviewed and Approved By:

  
Harold D. Hopson  
Chief, Real Estate Division  
Alaska District Corps of Engineers